



Docket No.: H1890.0201/P201  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Gary D. Hodgen, et al.

Application No.: 09/313,628

Group Art Unit: 1617

Filed: May 18, 1999

Examiner: R. Travers

For: CONTROL OF SELECTIVE ESTROGEN  
RECEPTOR MODULATORS

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JUL 0 3 2003  
TECH CENTER 1600/2500

29/E  
R. Travers  
8/19/03

#### SUBMISSION

MS Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

#### SUBMISSION

This is a submission being filed in connection with an RCE. Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

#### FEE CALCULATION

Any additional fee required has been calculated as follows:

  X   If checked, Small Entity status is claimed

	No. Claims After Amendment		Highest No. Previously Paid For		Extra Present		Rate	Additional Fee
Total	13	MINUS	33**	=	0	X		\$
Indep.	1	MINUS	3**	=	0	X		\$
First presentation of multiple dependent claim(s)						X		\$
TOTAL								\$ -0-

\* not less than 20

\*\* not less than 3

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-2215.

#### CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 50-2215.

## **SUMMARY OF AMENDMENTS**

### **SPECIFICATION**

- ☒ There are no amendments to the specification.  
☐ Marked up replacement(s) paragraphs are presented in a separate section.  
☐

### **CLAIMS**

- ☐ There are no amendments to the claims.  
☒ A complete listing of all claims ever present in this case in ascending order with status identifier is presented in a separate section.